

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

AUTOSCRIBE CORPORATION,

Plaintiff,

v.

NUVEI CORPORATION, NUVEI
TECHNOLOGIES CORPORATION,
NUVEI LIMITED, AND NUVEI
INTERNATIONAL GROUP LIMITED,

Defendants.

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Case No. 2:24-cv-00325-JRG

Jury Trial Demanded

**PLAINTIFF’S RESPONSE TO DEFENDANTS’ RULE 12(B)(2) AND 12(B)(3)
MOTIONS TO DISMISS**

On November 11, 2024, Autoscribe Corporation (“Autoscribe”) filed its First Amended Complaint (“Amended Complaint”) (Dkt. No. 35) pursuant to the Court’s Docket Control Order (Dkt. No. 26) and Fed. R. Civ. P. 15(a)(2). Due to Autoscribe’s Amended Complaint, Defendants’ motion to dismiss (Dkt. No. 15) is mooted. *See Sportscast Inc. v. Sportradar Grp., AG*, No. 2:23-CV-00472-JRG, 2024 WL 4219252, at *1-2 (E.D. Tex. Sept. 17, 2024) (concluding that the motion to dismiss the original complaint “became moot when PANDA filed its Amended Complaint on March 8, 2024, adding Sportradar AG as a defendant”); *McMurdy v. Bos. Sci. Corp.*, No. 2:19-CV-00301-JRG, 2019 WL 6131296, at *1 (E.D. Tex. Nov. 19, 2019) (“Accordingly, the filing of an amended complaint moots a motion to dismiss the original complaint”); *King v. Dogan*, 31 F.3d 344, 346 (5th Cir. 1994) (“An amended complaint supersedes the original complaint and renders it of no legal effect”). Counsel for Autoscribe conferred with counsel for Defendants and Defendants agree that the filing of the Amended Complaint moots Defendants’ motion to dismiss the Original Complaint.

CONCLUSION

Plaintiff Autoscribe Corporation respectfully moves that Defendants' Rule 12(b)(2) and 12(b)(3) Motions to Dismiss be denied as moot.

Dated: November 11, 2024

Respectfully submitted,

/s/ Jason S. McManis

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served November 11, 2024, to all counsel of record via ECF.

/s/ Jason McManis

Jason Mc Manis